



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jonathan C. Boomgaarden et al.

Serial No.: 10/063,429

Filed: April 23, 2002

For: ADJUSTABLE PATIENT
LATERAL SUPPORT

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Group Art Unit: 2882

Examiner: Ho, Allen C.

Atty. Docket: GEMS:0187/YOD/SWA/
120514

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

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August 9, 2005

Date

Tait R. Swanson

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

In the Notice of Allowability attached to the Notice of Allowance mailed on July 13, 2005, the Examiner provided a Statement of Reasons for Allowance. Although Applicants gratefully acknowledge the Examiner's Allowance of the present claims, Applicants do not necessarily agree with the Examiner's Reasons for Allowance. The Examiner's Reasons for Allowance vaguely characterized the prior art and the allowed claims. Specifically, the Examiner's statement alleges that the prior art discloses some claim features and lacks other claim features. The Applicants agree with the Examiner that the prior art fails to teach or suggest a variety of features recited in the allowed claims. However, the Applicants disagree with the Examiner's statement about features allegedly disclosed by the prior art. For these reasons, Applicants respectfully stress that each of the independent claims is patentable based on certain features explicitly recited in each respective claim, but not necessarily as set forth in the Examiner's Statement of Reasons for Allowance.

Date: August 9, 2005

Respectfully submitted,

Tait R. Swanson

Reg. No. 48,226

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Tait R. Swanson


Sir:

TRANSMITTAL LETTER FOR SUBMISSION OF ISSUE AND PUBLICATION FEES

In response to the Notice of Allowance and Fees Due mailed July 13, 2005, the Commissioner is authorized to charge the requisite Issue and Publication Fees of \$1,700.00, and any additional fees which may be required, to Deposit Account No. 07-0845; Order No. GEMS:0187/YOD/ SWA (120514).

Respectfully submitted,

Date: August 9, 2005


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